

February 2, 2003

To Whom It May Concern:

It is my understanding that the FCC has begun proceedings to review long-held media ownership restrictions and is considering easing or eliminating many of the safeguards put in place to ensure diversity in media ownership. I am writing to voice my opposition to the easing or elimination of these safeguards, and to ask that you encourage greater, rather than lesser, diversity in media ownership

The lessening of media ownership limits would be tantamount to the lessening of democracy itself. Media play a special and essential role in democratic societies. They are the principle source of political information and access to public debate. They influence public opinion and set the public's agenda about the issues of the day. They are the gatekeepers to the "marketplace of ideas." Media are essential to a participating and self-governing citizenry.

The key word here is "citizen"—not "consumer." As a consumer, I'm sure I'll be able to get more than my fill of "Friends" and "Survivor" and "Fear Factor." But, as a citizen, I greatly fear being held captive to corporations who own most everything I listen to, watch, or read. I fear that I won't be exposed to news that may be at odds with the corporate viewpoint. I fear that my media, already awash in a kind of hyper-commercial frenzy, will put corporate interests in profits ahead of the public interest. Who, if not the FCC, will prevent this? The FCC's *raison d'être* is to ensure media diversity and the protection of the public interest. Moreover, the FCC's existence is a testament to the special place that media have in our society. Yet, it seems to me that the FCC's leadership is content with simply "hoping" that big media companies will not take advantage of their power. However, if we give media corporations the unfettered opportunity to expand their chokehold on the public's eyes and ears, we cannot simply hope

that they will use this power and influence responsibly. Our democracy is too important! Dictatorship may be the most efficient form of government, but we would not choose it. We would have no guarantee of benevolence. Similarly, I beg you not to take the risk that greater media consolidation won't inhibit media diversity or access.

Everyone fears government censorship, and rightly so. However, we should equally fear corporate censorship of media. Owners of big media outlets have an inordinate amount of power to direct public attention and influence public opinion. Having only a tiny handful of such owners is outright dangerous. We have the First Amendment to protect us from government censorship. But, what do we have to protect us from corporate censorship? The First Amendment doesn't guarantee me access to speak or be published in their media. Rather, media companies use the First Amendment to guarantee their freedom to do what they want with their media. To a large extent, they use the constitutional imperative of free expression as a rationale for repressing competing ideas.

Am I crazy to think this could happen? Let's look at network television's coverage of this debate. It would seem that the FCC engaging in one of the most substantive reviews of media ownership restrictions since its inception would be a potentially newsworthy item. The consequences to our democracy notwithstanding, the relaxation of these media ownership limits is, at the very least, profoundly important business news. However, only one of the major television networks (ABC) has given any television coverage to this issue at all. This coverage was broadcast at 4:30 am! Given this, the vast majority of the American public remains completely in the dark on this issue. And, that's just how the big media companies want it. Most Americans who know of the debate are against the loosening of media ownership restrictions. So, for media companies, it's best if the public doesn't know. I feel that it would be hasty for the FCC to make any decisions regarding media ownership limits until the public has a greater opportunity to learn of, participate, and comment on this debate.

Media industry lobbyists argue that current media ownership restrictions are outdated and unnecessary given the advent of new technologies such as cable television and the Internet. The new media landscape, they say, is much different than the old. It seems as if many people take this argument for granted. Certainly, the Internet and its millions of channels has much to offer American democracy. But, thus far the democratizing features of the Internet are more rhetoric than reality. While the open architecture of the Internet has encouraged a number of new media competitors, the big media companies are largely swallowing up these little fish. Grandiose predictions about the Internet that characterized big media firms as "merely rearranging deck chairs on the Titanic" now seem wildly overestimated. Instead, big media outlets are colonizing the Internet. Today, in a medium that many people thought would resist consolidation, only 4 companies control over 50% of user minutes online. To be fair, domain registration, Web hosting, and design services for a small, do-it-yourself website can be carried out for only a few thousand dollars. However, the greater cost to Web operators is in attracting an audience. Placement in search engines is increasingly costly and favors the big, established, and wealthy. Most sites, once published, exist in virtual isolation. Reaching a large, general audience is practically impossible for the independent Web publisher. The ability to publish to the Internet does not give meaningful access to the marketplace of ideas. The test of media diversity and a community's opportunities for free expression should not rest in the abundance of small alternative media outlets such as websites, but in the abundance of opportunities to secure expression in media with the largest impact. Regardless of the advent of the Internet, there remains as much inequality in the power to communicate ideas, as there is inequality in economic bargaining power. Most people do not have the means to engage meaningfully in dialogue about the issues of the day that the First Amendment is so often heralded for promoting and guaranteeing. The easing of our current media ownership restrictions can only make this situation worse.

Of course, I could be wrong. Perhaps, market factors will ensure that the expanding media corporations will not abuse their gatekeeping and agenda-

setting powers. Perhaps, media corporations will actively seek to provide solid local news coverage, minority viewpoints, and diverse opinions. Perhaps, these corporations will place the needs of citizens ahead of the wants of shareholders. But, if we err, should we not err in favor of the public interest? If we err, should we not err in favor of democracy?

Thank you for pondering these questions.

Sincerely,

Karl Cleveland